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Examiner Man U Phan		Andrew J. Dillon, Reg. No. 29,634
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☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAY 22 2006

In re Application of:

Metin Aydemir

Serial No.: 09/373,837

Filed: 08/13/1999

For: DELAYED-START METHOD FOR
INTERNAL FLOW CONTROL IN
PACKET SWITCHES

§ Attorney Docket No.

§ RA9-99-005

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Examiner: Man U Phan

Art Unit: 2616

REPLY BRIEFMail Stop Appeal Briefs – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Reply Brief is submitted in answer to Examiner's Answer dated March 22, 2006.

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Typed or Printed Name: Jane L. GrahamDate: May 22, 2006Signature: REPLY BRIEF
Docket No. RA9-99-005
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ARGUMENT

In the Answer, the Examiner once again refers to the adaptor switch disclosed in *Fichou et al.*, United States Patent Number 5,790,522, as defining a period of time for pausing transmission. However, as noted previously *Fichou et al.* teach two timer values T1 and T2 which are pre-selected values. A choice between which timer value to utilize is clearly described within *Fichou et al.* as entirely dependent upon whether the packet of data being transmitted is real-time (RT) or non-real-time (NRT) and not, as expressly set forth within the present claims, computed "based upon said input buffer occupancy..."

Apparently in recognition of the fact that the two stated time intervals within *Fichou et al.* are determined based upon the content of a data packet and not the input buffer occupancy, the Examiner also attempts to rely on the spacing mechanism disclosed by *Fichou et al.* *Fichou et al.* does teach that, based upon thresholds within the input queues data transfer may occur at a speed which is lower than the nominal full speed. That is, data may be transferred at 4/5 speed, 3/5 speed, 2/5 speed or 1/5 speed. Applicant respectfully urges the Board to consider that the availability of reduced transmissions speeds does not suggest the pausing of data transmission for a delay interval which is computed based upon input buffer occupancy and the delay of restart of data transmission in accordance with that computed delay interval.

No additional fee is believed to be required; however, in the event any additional fees are required, please charge IBM Corporation Deposit Account No. 50-0563. No extension of time is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time to IBM Corporation Deposit Account No. 50-0563



Respectfully submitted,

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